

J. Barry Gheesling

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DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
CHARLESTON, SC

Clerk of the Court

United States District Court for the District of South Carolina

Hollings Judicial Center

83 Meeting Street

Charleston, South Carolina 29401

To Whom It May Concern:

May this serve to give notice of my objection to the proposed settlement of the class action lawsuit against MI Windows and Doors, LLC. The proposed settlement is not fair, adequate, nor reasonable and should not be finally approved, with judgment entered accordingly.

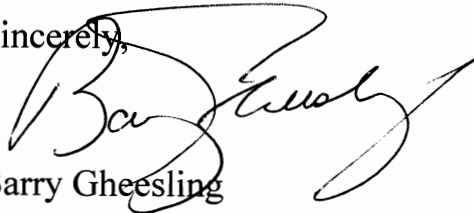
I would like to point out considerations that should be given to all consumers of the products in question. More specifically, the performance of the glass panels manufactured by MIWD , or others, used in the "windows".

1. The flaw in the design of the panels existed prior to the arbitrary date of July 1, 2000 and MIWD was aware of this fact.
2. The engineering design should include a performance standard common for windows in residential construction. This should have included performance of the glass to last the economic life of the structure as a minimum. A reasonable standard which would be expected by any consumer.
3. If MIWD had products liability insurance coverage, the settlement should include all products produced by MIWD. Any change in insurance companies would not end the previous company's responsibility for coverage during the effective date of coverage.
4. If the problem is a design failure, the engineering firm's or the individual design engineer's professional insurance coverage should bear some, if not all, financial responsibility for damages caused by their design. Specifically and especially if, MIWD's products carrier has subrogation rights against the engineer's carrier after the settlement is made.
5. A failure rate of 50% is a clear indication of a design problem.

6. There are no markings on the windows by which the manufacturer can be identified. This speaks to a desire to minimize warranty responsibilities.

I would be pleased to discuss these and other considerations with the Court or other party to the settlement decision.

Sincerely,



Barry Gheesling

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Copy;

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